SUPREME COURT MINUTES WEDNESDAY, FEBRUARY 8, 2006 SAN FRANCISCO, CALIFORNIA

S127505

B161356 Second Appellate District, Division Eight PEOPLE v. PARTIDA Rehearing denied

Kennard and Baxter, JJ., are of the opinion the petition should be granted.

Chin, J., was absent and did not participate.

S139609

A105164 First Appellate District, Division Five PEOPLE v. PITTO

Review granted on court's own motion

Review is granted on the court's own motion. For purposes of briefing and argument, the Attorney General is designated petitioner in this court and is directed to file a brief on the merits. Answers thereto will be filed by respondent. (See Cal. Rules of Court, rule 29.1.) The parties are directed to brief the following issues:

- 1) Did CALJIC No.17.15, as given by the trial court here, adequately apprise the jury of the need for a "facilitative nexus" between the handgun and the underlying crime, as those terms are utilized in *People v. Bland* (1995) 10 Cal.4th 991?
- 2) If not, did the trial court have a sua sponte duty to modify the instruction given?
- 3) Was any instructional omission prejudicial?"

Chin, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegar, Moreno, and Corrigan, JJ.

S139685

E035671 Fourth Appellate District, Division Two PEOPLE v. SEMAAN (CHERFAN)

Petition for review granted

Chin, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegar, Moreno, and Corrigan, JJ.

A108641 First Appellate District, Division Five PROFESSIONAL ENGINEERS IN CALIFORNIA GOVERNment et al. v. MORALES et al. (CALTROP ENGINEERING CORPORATION et al.) Petition for review granted

Chin, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegar, Moreno, and Corrigan, JJ.

S126715

B152759 Second Appellate District, Division Five

SOUKUP v. HAFIF

Previously consolidated cases ordered severed

Review in *Soukup v. Hafif*, B152759 is severed from review in *Hutton v. Hafif*, B154184. The clerk of the court is directed to refile *Hutton v. Hafif* under S140997. Further action in *Hutton v. Hafif*, S140997, is deferred pending consideration and disposition of a related issue in *Flatley v. Mauro*, S128429 (see Cal. Rules of Court, rule 2 8.2(d)(2)), or pending further order of this court.

Chin, J., was absent and did not participate.

S140997

B154184 Second Appellate District, Division Five

HUTTON v. HAFIF

Order filed: case held pending decision in another case

Review in *Soukup v. Hafif*, B152759 is severed from review in *Hutton v. Hafif*, B154184. The clerk of the court is directed to refile *Hutton v. Hafif* under S140997. Further action in *Hutton v. Hafif*, S140997, is deferred pending consideration and disposition of a related issue in *Flatley v. Mauro*, S128429 (see Cal. Rules of Court, rule 2 8.2(d)(2)), or pending further order of this court.

C048309 Third Appellate District

PEOPLE v. TORRES

Review granted/briefing deferred (rule 29.1)

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Conservatorship of Ben C.*, S126664 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Chin, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegar, Moreno, and Corrigan, JJ.

S140272

A109257 First Appellate District, Division One

HARTFORD FIRE INSURANCE v. S.C. (TURNER) Review granted/briefing deferred (rule 29.1)

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Californians for Disability Rights v. Mervyns's*, \$131798 and *Branick v. Downey Savings & Loan Association*, \$132433 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Chin, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Werdegar, Moreno, and Corrigan, JJ.

S139674

B184593 Second Appellate District, Division Six

FEDERICO v. S.C. (FEDERICO)

Review granted; transferred to CA 2/6 to issue OSC

Petition for review granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its August 4, 2005 order treating the appeal as a writ of mandate and its November 16, 2005 order denying mandate. The Court of Appeal should as a preliminary matter consider

whether the trial court's orders of May 20, 2005 and June 3, 2005 are appealable. (Code Civ. Proc., § 904.1, subd. (a)(2).) The court should then consider the appeal or issue an order directing respondent Ventura County Superior Court to show cause why the relief sought in the petition should not be granted.

Chin, J., was absent and did not participate.

Votes: George, C.J., Kennard, Werdegar, Moreno, and Corrigan, JJ.

S139004

G036019 Fourth Appellate District,

Division Three

JONES (EDDIE RONELL) ON H.C.

Petition for review denied

Chin, J., was absent and did not participate.

S139008

B179638 Second Appellate District,

Division Five

PEOPLE v. GERMANY

Petition for review denied

Chin, J., was absent and did not participate.

S139037

D046136 Fourth Appellate District,

Division One

FIRST AID SERVICES OF SAN DIEGO v.

CALIFORNIA EMPLOYMENT DEVELOPMENT Petition for review & depublication request denied

Chin, J., was absent and did participate.

S139095

A111873 First Appellate District,

Division One

ESTY (SCOTT) ON H.C.

Petition for review denied

Chin, J., was absent and did not participate.

S139130

B187151 Second Appellate District,

Division Seven

CONNELLY (RONALD) ON H.C.

Petition for review denied

Division Four

S139136 MIRABAL (MICHAEL) ON H.C.

B186985 Second Appellate District, Petition for review denied

Division Two

Chin, J., was absent and did not participate.

S139147 PEOPLE v. SALINAS

B167804 Second Appellate District, Petition for review denied

Chin, J., was absent and did not participate.

S139158 PEOPLE v. SALOMON
F044183 Fifth Appellate District Petitions for review denied

Kennard and Werdegar, JJ., are of the opinion

the petition should be granted.

Baxter, J., was recused and did not participate.

S139168 PEOPLE v. SAMPLE
C047621 Third Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S139195 PEOPLE v. CASTANEDA

E035940 Fourth Appellate District, Petition for review denied Division Two

Chin, J., was absent and did not participate.

S139202 PEOPLE v. MARTIN

E037158 Fourth Appellate District, Petition for review denied Division Two

Chin, J., was absent and did not participate.

PEOPLE v. MURRAY

G033730 Fourth Appellate District, Petition for review denied Division Three

Chin, J., was absent and did not participate.

S139245 LOPEZ (JUAN) ON H.C. G036318 Fourth Appellate District, Petition for review denied

Division Three

Chin, J., was absent and did not participate.

B179647 Second Appellate District,

Division Two

DIAZ (JORGE A.) ON H.C.

Petition for review denied

Chin, J., was absent and did not participate.

S139273

D047217 Fourth Appellate District,

Division One

PRITCHETT (CALVIN) ON H.C.

Petition for review denied

Chin, J., was absent and did not participate.

S139306

G036348 Fourth Appellate District,

Division Three

LAMBERT (DREW) ON H.C.

Petition for review denied

Chin, J., was absent and did not participate.

S139309

B185949 Second Appellate District,

Division Two

MIRANDA (ALFREDO) ON H.C.

Petition for review denied

Chin, J., was absent and did not participate.

S139311

H027004 Sixth Appellate District

PEOPLE v. MCDONOUGH

Petition for review denied

Kennard, J., is of the opinion the petition should

be granted.

Chin, J., was absent and did not participate.

S139368

A105166 First Appellate District,

Division Two

PEOPLE v. PICARD

Petition for review denied

Chin, J., was absent and did not participate.

S139379

H028111 Sixth Appellate District

CITY OF WATSONVILLE, v. STATE

DEPARTMENT OF HEALTH SERVICES (CALIFORNIA DENTAL ASSOCIATION et al.)

Petition for review & depublication request denied

S139395 PEOPLE v. RHYNES

C048594 Third Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S139417 PEOPLE v. MCCOY

F045249 Fifth Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S139420 PEOPLE v. MIX

E035975 Fourth Appellate District, Petition for review denied

Division Two

Chin, J., was absent and did not participate.

PEOPLE v. GARY S139439

Petition for review denied F046262 Fifth Appellate District

Kennard, J., is of the opinion the petition should

be granted.

Chin, J., was absent and did not participate.

S139440 PEOPLE v. GOPAL

F046034 Fifth Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S139472 NIETO (MICHAEL) ON H.C.

E039247 Fourth Appellate District, Petition for review denied **Division Two**

Chin, J., was absent and did not participate.

S139477 PEOPLE v. GRIFFIN

Petition for review denied E036091 Fourth Appellate District, Division Two

Chin, J., was absent and did not participate.

S139483 PEOPLE v. MARTIN

B177387 Second Appellate District, Petition for review denied

Division Two

A109703 First Appellate District,

Division Five

S. (DAVID), IN RE

Petition for review denied

Chin, J., was absent and did not participate.

S139528

B178653 Second Appellate District,

Division Two

PEOPLE v. HAMBLY

Petition for review denied

Chin, J., was absent and did not participate.

S139537

C047771 Third Appellate District

DOE v. MARYSVILLE JOINT UNIFIED SCHOOL

DISTRICT et al.

Petitions for review denied

Chin, J., was absent and did not participate.

S139617

B179297 Second Appellate District,

Division Three

PEOPLE v. BOUNPRASEUTH

Petition for review denied

Chin, J., was absent and did not participate.

S139650

A108882 First Appellate District,

Division Five

PEOPLE v. RIOS

Petition for review denied

Chin, J., was absent and did not participate.

S139662

B169138 Second Appellate District,

Division One

PEOPLE v. ARMSTRONG

Petitions for review denied

Chin, J., was absent and did not participate.

S139664

B175734 Second Appellate District,

Division Two

PEOPLE v. ANCRUM

Petition for review denied

Chin, J., was absent and did not participate.

S139673

B178042 Second Appellate District,

Division One

PEOPLE v. CHUI

Petition for review denied

C046372 Third Appellate District

C048141

EL DORADO COUNTY v. DEPARTMENT OF TRANSPORTATION et al. (LAKES

ENTERTAINMNET, INC.) (SHINGLE SPRINGS

BAND OF MIWOK INDIANS et al.)

Petition for review denied; CA opinion decertified

Petition for review denied. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed November 8, 2005, which appears at 133 Cal.App.4th 1376. (Cal. Const., art. VI, section 14; rule976, Cal. Rules of Court.)

Kennard, J., is of the opinion the petition should be granted.

Chin, J., was absent and did not participate.

S139763

C047809 Third Appellate District

PEOPLE v. DELACRUZ

Petition for review denied

Chin, J., was absent and did not participate.

S139776

C051206 Third Appellate District

HILDEBRAND v. S.C. (MEDICAL BOARD)

Petition for review denied

Chin, J., was absent and did not participate.

S139794

B169748 Second Appellate District,

Division Four

PEOPLE v. WILSON

Petition for review denied

Chin, J., was absent and did not participate.

S139874

E037164 Fourth Appellate District,

Division Two

KLINKNER v. ALTA VISTA HEALTH CARE

CENTER

Petition for review & publication request denied

Chin, J., was absent and did not participate.

S139887

B187721 Second Appellate District,

Division Four

TEGHIZADEH v. S.C. (PEOPLE)

Petition for review and application for stay denied

E039381 Fourth Appellate District,

Division Two

CITY OF RIALTO v. S.C. (RIALTO POLICE

BENEFIT ASSOCIATION)

Petition for review and application for stay denied

Petitioner's motion to introduce additional evidence in support of petition for review denied. Application for stay and petition for

review denied.

Chin, J., was absent and did not participate.

S139931

B173711 Second Appellate District,

Division One

DARJEE v. LABORATORY CORPORATION

Petition for review & publication request denied

Chin, J., was absent and did not participate.

S139969

A108462 First Appellate District,

Division Two

METREON, INC. v. LOEWS CALIFORNIA

THEATRES

Petition for review denied

Chin, J., was absent and did not participate.

S139974

B175397 Second Appellate District,

Division Seven

SCHMIR, MARRIAGE OF

Petition for review denied

Chin, J., was absent and did not participate.

S140023

B172482 Second Appellate District,

Division Seven

PEOPLE v. SALDANA

Petition for review denied

S140029

F047637 Fifth Appellate District

PEOPLE v. CARDIEL

Petition for review denied

Chin, J., was absent and did not participate.

S140030

H028336 Sixth Appellate District

PEOPLE v. AIRY

Petition for review denied

S140033 PEOPLE v. GAUWAIN H027891 Sixth Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S140034

B179548 Second Appellate District,

Division Two

MCKEE v. LOS ANGELES INTERAGENCY POLICE

Petition for review & depublication request denied

Request for judicial notice denied.

Chin, J., was absent and did not participate.

S140036

C043894 Third Appellate District

PEOPLE v. TAYLOR

Petition for review denied

Chin, J., was absent and did not participate.

S140037

E037951 Fourth Appellate District,

Division Two

PEOPLE v. BRAGER

Petition for review denied

Chin, J., was absent and did not participate.

S140038

B168064 Second Appellate District,

Division Eight

PEOPLE v. CASTRO

Petition for review denied

Chin, J., was absent and did not participate.

S140040

D045678 Fourth Appellate District,

Division One

PEOPLE v. ROBINSON

Petition for review denied

Chin, J., was absent and did not participate.

S140044

C047579 Third Appellate District

PEOPLE v. PANG

Petition for review denied

Chin, J., was absent and did not participate.

S140060

B175130 Second Appellate District,

Division Four

PEOPLE v. BARRAGAN

Petition for review denied

B186677 Second Appellate District,

Division Six

HARGER v. S.C. (HARGER)

Petition for review denied

Chin, J., was absent and did not participate.

S140065

B179031 Second Appellate District,

Division One

PEOPLE v. MAZARIEGO

Petition for review denied

Chin, J., was absent and did not participate.

S140066

E035819 Fourth Appellate District,

Division Two

PEOPLE v. KAKISH

Petition for review denied

Chin, J., was absent and did not participate.

S140068

B179992 Second Appellate District,

Division Two

VOLUNTEERS OF AMERICA OF LOS ANGELES v.

ROYAL INDEMNITY COMPANY et al.

Petition for review denied

Chin, J., was absent and did not participate.

S140070

B168079 Second Appellate District,

Division Eight

EDDINS v. REDSTONE

Petition for review denied

George, C.J., was recused and did not

participate.

Chin, J., was absent and did not participate.

S140071

C048281 Third Appellate District

PEOPLE v. DAVIS

Petition for review denied

Chin, J., was absent and did not participate.

S140076

C047897 Third Appellate District

PEOPLE v. HOOTEN

Petition for review denied

S140080 PEOPLE v. MCMILLEN C048193 Third Appellate District Petition for review denied

Chin, J., was absent and did not participate.

Chin, J., was absent and did not participate.

S140085 BANK OF AMERICA v. S.C. (CRUZ)

A112125 First Appellate District, Petition for review denied Division Three

Chin and Corrigan, JJ., were recused and did not participate.

S140087 PEOPLE v. ANDREAS B171847 Second Appellate District, Petition for review denied

Division Three Petition for review defied

Chin, J., was absent and did not participate.

S140089 PEOPLE v. MILLER F045199 Fifth Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S140092 AZAM v. CONTRA COSTA TIMES

A111729 First Appellate District, Petition for review denied

Division Five

S140094 PEOPLE v. MATAMOROS

B171776 Second Appellate District, Petition for review denied Division Four

Chin, J., was absent and did not participate.

S140097 ORELLANA v. CASTILLO

A109064 First Appellate District, Petition for review denied

Division Five

Chin, J., was absent and did not participate.

S140098 PEOPLE v. CHIESA
C047001 Third Appellate District Petition for review denied

B182242 Second Appellate District,

Division Five

TAB v. ZANDI

Petition for review denied

Kennard and Werdegar, JJ., are of the opinion

the petition should be granted.

Chin, J., was absent and did not participate.

S140106

B174227 Second Appellate District,

Division Three

PEOPLE v. SMITH

Petition for review denied

Chin, J., was absent and did not participate.

S140115

A108703 First Appellate District,

Division Four

PEOPLE v. HARMON

Petition for review denied

Chin, J., was absent and did not participate.

S140116

H028524 Sixth Appellate District

SCOTT v. GUTIERREZ

Petition for review denied

Chin, J., was absent and did not participate.

S140120

D044590 Fourth Appellate District,

Division One

PEOPLE v. JACKSON

Petition for review denied

Chin, J., was absent and did not participate.

S140123

B180728 Second Appellate District,

Division One

PEOPLE v. QUINONEZ

Petition for review denied

Chin, J., was absent and did not participate.

S140124

D044355 Fourth Appellate District,

Division One

PEOPLE v. HASLEY

Petition for review denied

S140125

B181615 Second Appellate District,
Division Seven

PEOPLE v. PERAZA
Petition for review denied
Chin, J., was absent and did not participate.

S140126 PEOPLE v. CLOSE
E037470 Fourth Appellate District,
Division Two

Chin, J., was absent and did not participate.

S140129 SPOTH AND SILTANEN, MARRIAGE OF C046802 Third Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S140130 PEOPLE v. ALEXANDER C041257 Third Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S140131 PEOPLE v. SPARACINO F046948 Fifth Appellate District Petition for review denied

Chin, J., was absent and did not participate.

S140133 PEOPLE v. STEWART
B182176 Second Appellate District,
Division Six
PEOPLE v. STEWART
Petition for review denied

Chin, J., was absent and did not participate.

S140141 PEOPLE v. SUMMERS
B176847 Second Appellate District,
Division Two

Chin, J., was absent and did not participate.

S140145

B179870 Second Appellate District,
Division Five

PEOPLE v. SENEGAR
Petition for review denied

B180231 Second Appellate District,

Division Six

PEOPLE v. STUBER

Petition for review denied

Chin, J., was absent and did not participate.

S140152

B177591 Second Appellate District,

Division Two

PEOPLE v. SIMS

Petition for review denied

Chin, J., was absent and did not participate.

S140154

B176162 Second Appellate District,

Division Six

A. (ALEJANDRO), IN RE

Petition for review denied

Chin, J., was absent and did not participate.

S140163

B173840 Second Appellate District,

Division Eight

PEOPLE v. BERMUDEZ

Petition for review denied

Chin, J., was absent and did not participate.

S140181

H028171 Sixth Appellate District

PEOPLE v. JOHNSON

Petition for review denied

Chin, J., was absent and did not participate.

S140211

B176985 Second Appellate District,

Division Seven

PAYKAR CONSTRUCTION v. CASA EVA

HOMOWNERS

Petition for review denied

Chin, J., was absent and did not participate.

S140222

C046494 Third Appellate District

PEOPLE v. HENDERSON

Petition for review denied

Chin, J., was absent and did not participate.

S140251

B178620 Second Appellate District,

Division Six

PEOPLE v. DANIELS

Petition for review denied

B187873 Second Appellate District,

Division Two

MEJIA v. S.C. (Z-VALET)

Petition for review and application for stay denied

S140442

A104097 First Appellate District,

Division Two

EINHEBER v. REGENTS OF THE UNIVERSITY OF

CALIFORNIA et al.
Petition for review denied

Chin, J., was absent and did not participate.

S140613

NUNN v. C.A. 1/5 (PEOPLE)

Petition for writ of mandate/prohibition denied

Petition for writ of mandate and declaratory relief denied without prejudice to the refilling of petitioner's petition for writ of habeas corpus in the Court of Appeal, accompanied by a copy of the superior court's order and the other documents specified in the order filed October 6, 2005, in case number A111582.

Chin, J., was absent and did not participate.

S123539

DUNN (RODNEY T.) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S131041

POTTS (DEWYONE C.) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S131202

JUAREZ (EDMUNDO) ON H.C.

Petition for writ of habeas corpus denied

S131727 TAYLOR (MARK JAMES) ON H.C.

Petition for writ of habeas corpus denied

(See In re Robbins (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate. Corrigan, J., was recused and did not

participate.

S131787 CAMPBELL (VALERIE) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S131841 GLASS (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

(See In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate.

S131855 BAILEY (WILLIE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate.

S131883 WILLIAMS (CHARLES) ON H.C.

Petition for writ of habeas corpus denied

(See In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780; In re Miller (1941) 17 Cal.2d 734.)

S132047 HEYBERGER (PETER T.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780; In re Dixon (1953) 41 Cal.2d 756.)

Chin, J., was absent and did not participate.

S132069 HARPER (ANTHONY) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate.

S132100 MOORE (JEROME L.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780; In re Dixon (1953) 41 Cal.2d 756.)

Chin, J., was absent and did not participate.

S132109 WATTS (MANGO) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S132147 URIBE (ALFONSO) ON H.C.

Petition for writ of habeas corpus denied

(See In re Robbins (1998) 18 Cal.4th 770, 780; In re Waltreus (1965) 62 Cal.2d 218; In re Dixon (1953) 41 Cal.2d 756; In re Lindley (1947) 29 Cal.2d 709.)

S132367 TOWNSELL (DEMETRIUS) ON H.C.

Petition for writ of habeas corpus denied

(See In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780; In re

Miller (1941) 17 Cal.2d 734.)

Chin, J., was absent and did not participate.

S132406 COLLINS (AARON) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S132417 RICHARDSON (RICHARD E.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate.

S132434 MYERS (KEWAN) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S132442 RICHARDSON (JERRY) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S132446 KELLY (MAURICE D.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Waltreus (1965) 62 Cal.2d 218.)

S132448 WARFIELD (KENZEL) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate.

S132450 MILTON (NATHANIEL) ON H.C.

Petition for writ of habeas corpus denied

(See In re Robbins (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate.

S132456 JOHNSON (ROY) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Chin, J., was absent and did not participate.

S132462 ESCALANTE (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

(See In re Waltreus (1965) 62 Cal.2d 218.)

Chin, J., was absent and did not participate.

S132467 QUINONEZ (HERMINIO P.) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S132474 THROOP (EDWARD A.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780; In re

Waltreus (1965) 62 Cal.2d 218.)

SANCHEZ (CARLOS) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

Chin, J., was absent and did not participate.

S132601

ESCALANTE (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

Chin, J., was absent and did not participate.

S133206

TUNSTALL (DARRYL SCOTT) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S133261

NICHOLS (RONALD) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dannenberg (2005) 34 Cal.4th 1061, 1084, 1087; In re Rosenkrantz (2002) 29 Cal.4th 616, 658, 682.)

Chin, J., was absent and did not participate.

S133965

LUGO (INEZ TITO) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 658, 682.)

DEHAVEN (LEROY) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S134056

GARFIELD (JOHN) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dannenberg (2005) 34 Cal.4th 1061; In re Rosenkrantz (2002) 29 Cal.4th 616; In re Duarte (1983) 143 Cal.App.3d 943; In re Seabock (1983) 140 Cal.App.3d 29.)

Chin, J., was absent and did not participate.

S134078

WILLIAMS (WILLIAM) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S134334

ANDERSON (DENNIS B.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

Chin, J., was absent and did not participate.

S134352

HILL (GLENN) ON H.C.

Petition for writ of habeas corpus denied

(See In re Robbins (1998) 18 Cal.4th 770, 780; In re Dannenberg (2005) 34 Cal.4th 1061.)

Chin, J., was absent and did not participate. Corrigan, J., was recused and did not participate.

GAY (OMAR) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

Chin, J., was absent and did not participate.

S134507

GARCIA (JASON EDWARD) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061.)

Chin, J., was absent and did not participate.

S134516

WELLS (DONALD RAY) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dexter (1979) 25 Cal.3d 921.)

Chin, J., was absent and did not participate.

S134531

RAMIREZ (MARCO) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S134581

MOLINA (MIGUEL) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

GOINGS (GEORGE) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dannenberg (2005) 34 Cal.4th 1061; In re Rosenkrantz (2002) 29 Cal.4th 616; People v. Duvall (1995) 9 Cal.4th 464, 474; In re Duarte (1983) 143 Cal.App.3d 943; In re Seabock (1983) 140 Cal.App.3d 29.)

Chin, J., was absent and did not participate.

S134602

SMITH (JOHN L.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dannenberg (2005) 34 Cal.4th 1061; In re Rosenkrantz (2002) 29 Cal.4th 616; People v. Duvall (1995); In re Duarte (1983) 143 Cal.App.3d 943; In re Seabock (1983) 140 Cal.App.3d 29.)

Chin, J., was absent and did not participate.

S134665

WILLIE (JOHNNY) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)

Chin, J., was absent and did not participate. Corrigan, J., was recused and did not participate.

S134686

REYES (JOSE G.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dannenberg (2005) 34 Cal.4th 1061; In re Rosenkrantz (2002) 29 Cal.4th 616; People v. Duvall (1995) 9 Cal.4th 464, 474.)

WOODS (WILLIE J.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dannenberg (2005) 34 Cal.4th 1061; In re Rosenkrantz (2002) 29 Cal.4th 616; People v. Duvall (1995) 9 Cal.4th 464, 474; In re Seabock (1983) 140 Cal.App.3d 29; In re Duarte (1983) 143 Cal.App.3d 943.)

Chin, J., was absent and did not participate.

S134717

HALFIN (LEONARD) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S134724

MEDINA (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S134731

RUCKER (WILLIE C.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

Chin, J., was absent and did not participate.

S134778

MARTIN (J.D.) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

GALANG (REDENTOR) ON H.C.

Petition for writ of habeas corpus denied

(See In re Rosenkrantz (2002) 29 Cal.4th 616; In re Dannenberg (2005) 34 Cal.4th 1061.)

Chin, J., was absent and did not participate.

S135056

GOSS (GREGORY) ON H.C.

Petition for writ of habeas corpus denied

(See In re Dannenberg (2005) 34 Cal.4th 1061; In re Rosenkrantz (2002) 29 Cal.4th 616; People v. Duvall (1995) 9 Cal.4th 464, 474.)

Chin, J., was absent and did not participate.

S135073

GARY (GENE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

Chin, J., was absent and did not participate.

S135081

COLLIER (DAVID) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S135089

ANDERSON (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Duarte* (1983) 143 Cal.App.3d 943; *In re Seabock* (1983) 140 Cal.App.3d 29.)

GALANG (REDENTOR) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

Chin, J., was absent and did not participate.

S137615

GAY (OMAR S.) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *Superintendent v. Hill* (1985) 472 U.S. 445 [105 S. Ct. 2768].)

Chin, J., was absent and did not participate.

S138102

RUCKER (WILLIE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

Chin, J., was absent and did not participate.

S139039

ANDERSON (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Duarte* (1983) 143 Cal.App.3d 943; *In re Seabock* (1983) 140 Cal.App.3d 29.)

Chin, J., was absent and did not participate.

S139204

WELLS (DONALD) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S139732 GLAUDE (STEVEN) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S139807 EURICH (JUSTIN RAY) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

Chin, J., was absent and did not participate.

S140237 CROWTHER (RAYMOND) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

Chin, J., was absent and did not participate.

S140253 PEYTON (LEE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

Chin, J., was absent and did not participate.

S140259 CARTER (LEWIS) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S140273 BRYANT (ALEX) ON H.C.

Petition for writ of habeas corpus denied

S140330 CRUMP (STEPHEN) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Chin, J., was absent and did not participate.

S140414 LUSCH (JOHN) ON H.C.

Petition for writ of habeas corpus denied

(See In re Clark (1993) 5 Cal.4th 750.)

Chin, J., was absent and did not participate.

S140444 RUSH (JASON A.) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S140477 SANCHEZ (BERNARDINO) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S140507 MCCORVEY (LARRY) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

Chin, J., was absent and did not participate.

S140525 DELK (MARK R.) ON H.C.

Petition for writ of habeas corpus denied

(See In re Robbins (1998) 18 Cal.4th 770, 780; In re Swain (1949) 34 Cal.2d 300, 304; In re Dixon (1953) 41 Cal.2d 756.)

S140536 SMITH (RONALD) ON H.C.

Petition for writ of habeas corpus & stay denied

Chin, J., was absent and did not participate.

S140688 PIERCE (SEBREN A.) ON H.C.

Petition for writ of habeas corpus denied

Chin, J., was absent and did not participate.

S140769 C. (LISA) ON H.C.

Petition for writ of habeas corpus & stay denied

Chin, J., was absent and did not participate.

S043789 DOAN v. C.J.P.

Order:

It is hereby ordered on the recommendation of the State Bar that the suspension of **GLENDA KRAFT DOAN**, **State Bar No. 64027**, be terminated upon payment of all fees and costs that may be due.

Chin, J., was absent and did not participate.

S139607 VALENTINE CAPITAL RETIREMENT PLANNING

A108379 First Appellate District, GROUP, INC. v. BRANDON et al.

Division One Publication request denied

Chin, J., was absent and did not participate.

S140021 CITIZENS FOR RESPONSIBLE EQUITABLE: v.

D045274 Fourth Appellate District, CITY v. MARTINEZ

Division One Depublication request denied

PEOPLE v. JABLONSKI (PHILLIP C.)

Time extended to consider modification or rehearing

to April 21, 2006 or the date upon which rehearing is either granted or denied, whichever occurs first.

S064574

PEOPLE v. MARTINEZ (MICHAEL M.)

Extension of time granted

to March 27, 2006 to file appellant's reply brief. Extension is granted based upon counsel Paul J. Spiegelman's representation that he anticipates filing that brief by March 27, 2006. After that date, no further extension will be granted.

S064858

PEOPLE v. SCOTT (ROYCE LYN)

Extension of time granted

to April 17, 2006 to file appellant's opening brief. After that date, only three further extensions totaling about 180 additional days will be granted. Extension is granted based upon Deputy State Public Defender Susan Ten Kwan's representation that she anticipates filing that brief by October 2006.

S127754

LARGE (SAM HENRY) ON H.C.

Extension of time granted

to March 16, 2006 to file the return.

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

On application of Tamar Frankel, Professor of Law at Boston University School of Law, State of Massachusetts, for an extension of time to file and serve amicus curiae brief in support of respondent is hereby granted to February 28, 2006. No further extensions will be granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S129463

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

On application of Writers Guild of America, Inc., Directors Guild of America, Inc., and Screen Actors Guild, Inc., and good cause appearing, it is ordered that the time to serve and file it's amicus curiae brief in support of respondent herein is extended to February 28, 2006.

No further extensions of time will be granted. An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S129463

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

On application of Amicus Curiae United Inventors Association and good cause appearing, it is ordered that the time to serve and file the amicus curiae brief in support of respondent is extended to February 28, 2006. No further extensions of time will be granted. An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

On application of Ian Ayers, Professor of Law, Yale School of Law, State of Connecticut, for an extension of time to file and serve amicus curiae brief in support of respondent, together with his application to appear as counsel pro hac vice, is hereby granted to February 28, 2006.

No further extensions will be granted. An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S129463

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

On application of Memorial sloan-Kettering Cancer Center, and good cause appearing, it is ordered that the time to serve and file the amicus curiae brief in support of respondent herein is extended to February 28, 2006. No further extensions of time will be granted. An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S129463

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

On application of The Academy of Applied Science, and good cause appearing, it is ordered that the time to serve and file its amicus curiae brief in support of respondent herein is extended to February 28, 2006.

No further extensions of time will be granted. An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

SAPP (JOHN) ON H.C. Extension of time granted

to March 7, 2006 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon counsel Bruce Eric Cohen's representation that he anticipates filing that document by March 7, 2006. After that date, no further extension is contemplated.

S133850

C047483 Third Appellate District

PILIMAI v. FARMERS INSURANCE EXCHANGE Extension of time granted

Respondent's time to serve and file the response to amicus curiae brief is extended to February 22, 2006.

S134332

GUERRA (JOSE) ON H.C. Extension of time granted

to March 30, 2006 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General Alene M. Games's representation that she anticipates filing that document by March 30, 2006. After that date, no further extension will be granted.

S135160

C044400 Third Appellate District

OCONNELL v. CITY OF STOCKTON

Extension of time granted

Respondent's time to serve and file the response to recusal/motion to disqualify is extended to February 14, 2006.

S138974

C044267 Third Appellate District

LAUB v. DAVIS

Extension of time granted

to file respondent Metropolitan Water District of So. California opening brief on the merits.

D043684 Fourth Appellate District,

Division One

GROSSET v. WENNAS

Extension of time granted

to March 16, 2006 for appellant Sik-Lin Huang to file the opening brief on the merits.

S129463

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Application to appear as counsel pro hac vice granted

The application of Robin S. Conrad of the State of Maryland and Washington D.C., (District of Columbia Bar #342772), for admission to appear as counsel pro hac vice o n behalf of Amicus Curiae Chamber of Commerce of the United States of America is hereby granted. (See Cal. Rules of Court, rule 983.)

S129463

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

The application of Mark C. Fleming of the State of Massachusetts for admission to appear as counsel pro hac vice on behalf of Amicus Curiae Biogen Idec, Inc. in support of appellant is hereby granted. (See Cal. Rules of Court, rule 983.)

S129463

B161549 Second Appellate District, Division Two

CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

The application of Seth P. Waxman of Washington, D.C. for admission to appear as counsel pro hac vice on behalf of Amicus Curiae Biogen Idec, Inc. in support of appellant is hereby granted. (See Cal. Rules of Court, rule 983.)

B161549 Second Appellate District, Division Two CITY OF HOPE NATIONAL MEDICAL CENTER v. GENENTECH INC.

Extension of time granted

The application of Tamar Frankel, Michaels Faculty Research Scholar and Professor of Law at Boston University School of Law, State of Massachusetts, for admission to appear as counsel pro hac vice on behalf of respondent is hereby granted. (See Cal. Rules of Court, rule 983.)

S087560

PEOPLE v. NADEY (GILES)
Counsel appointment order filed

Christopher Johns is hereby appointed as counsel of record to represent appellant Giles Albert Nadey, Jr., for the direct appeal in the above automatic appeal now pending in this court.

Chin, J., was absent and did not participate.

S140907

NIETO v. S.C. (PEOPLE) Transferred to CA 5

for consideration in light of *Hagan v. Superior* Court (1962) 57 Cal. 2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

Bar Misc. 4186

IN THE MATTER OF THE APPLICATION OF THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA FOR ADMISSION OF ATTORNEYS

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ATTACHED LIST OF NAMES IN THE ORIGINAL ORDER.)

SUPREME COURT OF CALIFORNIA ORAL ARGUMENT CALENDAR SAN FRANCISCO SESSION MARCH 7 and 8, 2006

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom, located at 350 McAllister Street, Fourth Floor, San Francisco, California, on March 7 and 8, 2006.

TUESDAY, MARCH 7, 2006 – 9:00 A.M.

S128248	John B. v. Superior Court of Los Angeles County				
G121010	(Bridget B., Real Party in Interest)				
S131818	San Francisco Firefighters Local 798 v. City & County of San				
C102474	Francisco et al.				
S123474	People v. McGee (James)				
	<u>1:30 P.M.</u>				
S129794	Stephens v. County of Tulare				
S129755	People v. Standish (Jared)				
2127,00	respire (various)				
	WEDNESDAY, MARCH 8, 2006 – 9:00 A.M.				
G122500					
S122590	In re Freeman (Fred) on Habeas Corpus				
	(Chin and Corrigan, JJ., not participating; Boland and				
0126700	Haller, JJ., assigned justices pro tempore)				
S126780	Californians for an Open Primary v. McPherson (Legislature of				
S130174	the State of California, Real Party in Interest) People v. Thompson (Daniel)				
3130174	reopie v. Thompson (Damer)				
	<u>1:30 P.M.</u>				
C126207	City of Country of Con Francisco et al. or Color Color				
S126397	City & County of San Francisco et al. v. Cobra Solutions Inc., et al.				
	(Werdegar, J., not participating; Epstein, J., assigned justice				
	pro tempore)				
S119230	People v. Johnson (John)				
5117230	1 copie v. Johnson (John)				
	Chief Justice				

If exhibits are to be transmitted to this court, counsel must comply with rule 18(c) of the California Rules of Court.